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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,321	03/13/2001	Scott A. Hermreck	580745.004	1791

758 7590 11/15/2004

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EXAMINER

CHILCOT, RICHARD E

ART UNIT PAPER NUMBER

3627

DATE MAILED: 11/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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EXAMINER

ART UNIT	PAPER
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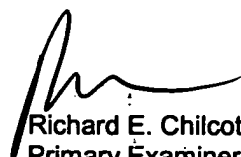
20041110

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on August 23, 2004 is not fully responsive to the prior Office action because the applicants have not submitted arguments regarding how claims 42-48 distinguish over the art of record as required by 37 C.F.R. § 1.111(c). Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.


Richard E. Chilcot, Jr.
Primary Examiner
Art Unit: 3627